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Attorneys for ONI Realty Investors, LLC

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA

In re:) **Case No. 14-61357-7**
)
JOHN HENRY SCHNEIDER,) **NOTICE OF WITHDRAWAL OF**
) **PROOF OF CLAIM AND MOTION TO**
Debtor.) **APPROVE**

ONI Realty Investors, LLC (“ONI”), through counsel, hereby gives notice that pursuant to F.R. Bank. P. 3006, ONI intends to withdraw Proof of Claim No. 27, and moves the Court for an Order permitting such withdrawal. In support of its request, ONI states the following:

1. ONI filed Proofs of Claim Nos. 26, 27 and 28 on November 11, 2015.
2. Debtor objected to ONI’s claims on April 15, 2016 [Doc. Nos. 281, 282, and 283]

and the Court has scheduled a hearing on Debtor’s objections to ONI’s claims for May 24, 2016.

3. ONI has retained counsel to represent it in Montana regarding the Debtor’s objections to ONI’s claims.

4. ONI's counsel has reviewed ONI's proofs of claim and determined that Proof of Claim No. 27 is duplicative of Proof of Claim No. 28 and that Proof of Claim No. 28 includes additional documentation supportive of the claim which is not included with Proof of Claim No. 27.

5. ONI seeks to withdraw Proof of Claim No. 27 on the grounds that it is duplicative of Proof of Claim No. 28.

WHEREFORE, pursuant to F.R. Bank. P. 3006 ONI moves the Court for an Order permitting the withdrawal of Proof of Claim No. 27.

DATED this 18th day of May, 2016.

**GUTHALS, HUNNES & REUSS, P.C.
P.O. Box 1977
Billings, MT 59103-1977**

By: /s/ *Jeffery A. Hunnes*
Attorneys for ONI Realty Investors, LLC

NOTICE

If you object to the motion, you must file a written responsive pleading and request a hearing within fourteen (14) days of the date of the motion. The responding party shall schedule the hearing on the motion at least twenty one (21) days after the date of the response and request for hearing and shall include in the caption of the responsive pleading in bold and conspicuous print the date, time and location of the hearing by inserting in the caption the following:

NOTICE OF HEARING

Date: _____

Time: _____

Location: _____

If no objections are timely filed, the Court may grant the relief requested as a failure to respond by any entity shall be deemed an admission that the relief requested should be granted.

CERTIFICATE OF SERVICE

I, the undersigned, certify under penalty of perjury that on May 18th, 2016, or as soon as possible thereafter, copies of the foregoing were served electronically by the Court's ECF notice to all persons/entities requesting special notice or otherwise entitled to the same and that in addition service by mailing a true and correct copy, first class mail, postage prepaid, was made to the following persons/entities who are not ECF registered users: None.

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P.O. Box 1977
Billings, Montana 59103**

By: /s/ *Jeffery A. Hunnes*
Attorneys for ONI Realty Investors, LLC